

UNIFORMED SERVICES FORMER SPOUSES' PROTECTION ACT

10 U.S.C. 1408

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Provided by

COMMANDING OFFICER (LGL)
COAST GUARD HUMAN RESOURCES
SERVICE & INFORMATION CENTER (HRSIC)
444 SE QUINCY ST
TOPEKA KS 66683-3591

Telephone 785-339-3595 785-339-3788 (Fax)

<u>E·Mail</u>

HRSIC-LGL@HRSIC.USCG.MIL

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Natural Work Group Product – 2001 Edition

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Former Spouses' Protection Act (FSPA), Public Law 97-252, 8 September 1982, provides several benefits for former spouses of Coast Guard or NOAA Corps retirees including direct payments from retired pay for child support, alimony, or as a division of property.

Property Division

FSPA permits, but does not require, state courts to divide military disposable retired pay as marital property between parties in a divorce action. The courts cannot treat military retired pay as property unless the court has jurisdiction over the member by reason of: (a) the member's residence, other than because of military assignment, in the territorial jurisdiction of the court; (b) the member's domicile in the jurisdiction of the court; or (c) the member's consent to the jurisdiction of the court. Divorces finalized before 26 June 1981 (the date of the U.S. Supreme Court "McCarty" decision, in which case the court ruled that military retired pay was not subject to division as property in a divorce case) cannot be modified to call for a portion of the member's retired pay based on this legislation. However, divorces after that date can be modified.

What is Disposable Retired Pay?

For divorces before 3 Feb 91:

Disposable retired pay is the member's gross pay entitlement, less authorized deductions. Those authorized deductions include the following:

- 1. Debts owed to the United States.
- 2. Fines and forfeitures ordered by a court-martial.
- 3. Amounts waived in order to receive compensation under Title 5 or Title 38, United States Code, i.e., dual compensation and Veterans Administration compensation.
- 4. Federal employment taxes withheld.
- 5. Amounts local properly withheld for federal, state, or income tax purposes, if such withholding is authorized or required by law and if the amounts withheld are not greater than would be the case if the individual claimed all dependents to which entitled.

What is disposable retired pay?

For divorces before 3 Feb 91: (Continued)

- 6. Additional tax amounts withheld at the voluntary request of the member, but only when the member presents evidence satisfactory to HRSIC (LGL) of a tax obligation that supports the additional withholding.
- 7. Amounts paid as a result of the member's election to provide an annuity under the Retired Serviceman's Family Protection Plan or the Survivor Benefit Plan to a former spouse to whom payment of a portion of the member's retired pay is being made pursuant to a court order under the FSPA.
- 8. Any other amounts required by law to be deducted including portions of retired pay attributable to disability if divorced on or after 14 November 1986 (see item 3 below).

For divorces on and after 3 Feb 91:

Disposable retired pay is the total monthly retired pay to which a member is entitled less amounts which--

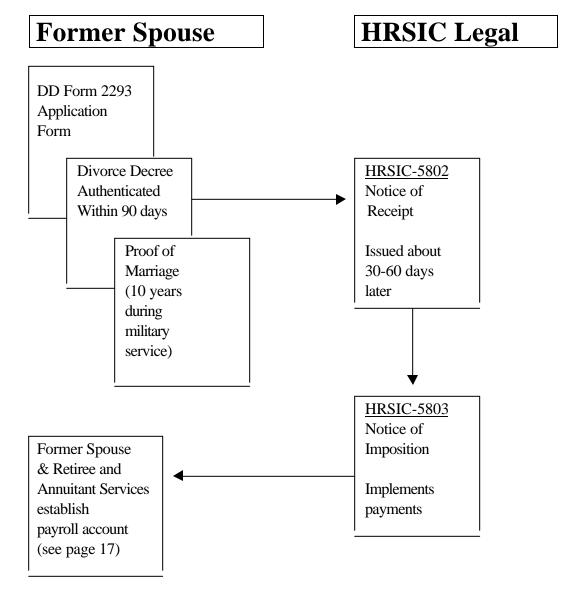
- 1. are owed by that member to the United States for previous overpayments of retired pay and for recoupments required by law resulting from entitlement to retired pay;
- 2. are deducted from the retired pay of such member as a result of forfeitures of retired pay ordered by a court-martial or as a result of a waiver of retired pay required by law in order to receive compensation under title 5, dual compensation, or title 38, VA compensation;
- 3. [in the case of a member entitled to retired pay under Title 10 U.S. Code, Chapter 61] are equal to the amount of retired pay of the member under that chapter computed using the percentage of the member's disability on the date when the member was retired (or the date on which the member's name was placed on the temporary disability retired list); or
- 4. are deducted because of an election under chapter 73 of this title to provide an annuity to a spouse or former spouse to whom payment of a portion of such member's retired pay is being made pursuant to a court order under this section.

Direct Payment

FSPA permits the Coast Guard Human Resources & Information Center to make direct payments to a former spouse from a retiree's disposable retired pay for:

- 1. Division of retired pay as marital property
- 2. Alimony (spousal support)
- 3. Child support
- 4. Combination of above.

The amount that can be paid cannot exceed 50 percent of disposable retired pay except when the retiree's pay is also subject to garnishment. Then, not more than 65 percent of disposable retired pay may be withheld to fulfill legal obligations. To qualify for a direct payment of retired pay as a property division, the former spouse must have been married to the member for ten years or more, during which the member performed at least ten years of creditable military service. There is no length of marriage requirement to qualify for a direct payment from retired pay for child support or alimony.





Application Information for Direct Payments under UNIFORMED SERVICES FORMER SPOUSES' PROTECTION ACT

- 1. Complete the enclosed application form, DD Form 2293, issued by the Department of Defense. Our previous and similar form, HRSIC-2293, is also acceptable.
- 2. Enclose a certified copy of your <u>final decree of divorce</u>, <u>dissolution</u>, <u>annulment</u>, <u>or legal separation</u>. It is required that the court order be authenticated or certified within 90 days immediately preceding its service on the Coast Guard. It must furthermore be issued by a court that had jurisdiction over your former spouse by virtue of his or her residence within the territorial jurisdiction of the court for purposes other than military assignment, or his or her domicile within the territorial jurisdiction of the court, or his or her consent to the court's exercise of jurisdiction over him.
- 3. Enclose a certified copy of the court order if not included in your divorce, dissolution, annulment or separation decree directing that you receive a specific percentage or dollar amount of your former spouses's retired pay. This may be in the form of a court ordered, ratified or approved property settlement incident to such final decree.
- 4. Provide sufficient identifying information about your former spouse to permit processing of your request including his or her full name and social security number. Additional identifying information may be included in block 4f of the application form (DD Form 2293).
- 5. If the court order does not specify that you were married to your former spouse for ten years during the course of which he or she performed ten years of service creditable in determining eligibility for retired pay, you must provide sufficient evidence for the Coast Guard to verify that this requirement has been met.
- 6. If the court order was issued while your former spouse was on active duty and he or she was not represented in court, the court order must specify or be accompanied by documents that certify that the former spouse's rights under the Soldiers and Sailors Civil Relief Act of 1940, 50 U.S.C. Appendix 501-591, were met.
- 7. This material may be sent by facsimile, electronic transmission, or mail, to:

COMMANDING OFFICER (LGL)
COAST GUARD HUMAN RESOURCES
SERVICE & INFORMATION CENTER
444 SE QUINCY ST
TOPEKA KS 66683-3591

APPLICATION FOR FORMER SPOUSE PAYMENTS FROM RETIRED PAY

(Please read instructions on back before completing this form.)

Form Approved
OMB No. 0730-0008
Expires Sep 30, 2001

The public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0730-0008), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

FOR OFFICIAL USE

PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS. RETURN COMPLETED FORM TO THE APPROPRIATE SERVICE ADDRESS LISTED ON BACK.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC 1408; EO 9397.

PRINCIPAL PURPOSE(S): To request direct payment through a Uniformed Service designated agent of court ordered child support, alimony, or division of property to a former spouse from the retired pay of a Uniformed Service member.

ROUTINE USE(S): Information provided will be disclosed to the retired member for verification and comment. Additionally, it may be disclosed to state social service agencies for human services benefit entitlement purposes; to the Internal Revenue Service, and state and local taxing authorities for income tax purposes.

DISCLOSURE: Voluntary; however, failure to provide requested information may delay or make impossible processing this direct payment request.

1.	APPLICANT IDENTIFICATION	2. S	EKVICE IV	IFINIBER IDEL	MILIFICA	TION	
a.	NAME (As appears on court order) (Last, First, Middle Initial)	a. N	AME (Las:	t, First, Mida	lle Initia	()	
b.	CURRENT NAME (Last, First, Middle Initial)	b. S	OCIAL SE	CURITY NUI	VIBER		
C.	SOCIAL SECURITY NUMBER	c. B	RANCH O	F SERVICE			
d.	ADDRESS (Street, City, State, ZIP Code)	d. A	DDRESS (Street, City,	State,	ZIP Code) (If known)	
3.	REQUEST STATEMENT						
	request direct payment from the retired pay of the above name request payment of:	d Uniform	ned Servic	e member ba	ased on	the enclosed court order.	
	(1) Child support in the amount of \$	per mont	h.				
	(2) Alimony, spousal support or maintenance in the amount of \$ per month.			, or		percent of disposable retir	ed pay
	(3) A division of property in the amount of \$, or		_ percent of	disposa	able retired pay per month.	
							-

I certify that any request for current child and/or spousal support is not being collected under any other wage withholding or garnishment procedure authorized by statute. Furthermore, I certify that the court order has not been amended, superseded or set aside and is not subject to appeal. As a condition precedent to payment, I agree to refund all overpayments and that they are otherwise recoverable and subject to involuntary collection from me or my estate, and I will notify the appropriate agent (as listed on back) if the operative court order, upon which payment is based, is vacated, modified, or set aside. I also agree to notify the appropriate agent (as listed on back) of a change in eligibility for payments. This includes notice of my remarriage, if under the terms of the court order or the laws of the jurisdiction where it was issued, remarriage causes the payments to be reduced or terminated; or notice of a change in eligibility for child support payments by reason of the death, emancipation, adoption, or attainment of majority of a child whose support is provided through direct payments from retired pay. I hereby acknowledge that any payment to me cannot lawfully exceed 50 percent of the member's disposable retired pay which is gross retired pay minus deductions such as those authorized or required for income tax, Federal indebtedness, or disability reasons; that my payments may not exceed any lesser amount or percentage specified by court order; and that any court-ordered percentage must be construed as a percentage of disposable retired pay.

4. I	HAVE ENCLOSED ALL PERTINENT DOCUMENTATION TO INCLUDE: (X as applicable)	
	a. A copy of the operative court order and other accompanying documents that provide for payme division of retired pay as property, containing a certification dated by the clerk of the court with application is received by the designated agent.	
	b. Evidence of the date(s) of my marriage to the member if the application is for the direct paymer disposable retired pay as property. Give MARRIAGE DATE (YYYYMMDD) in this block unless s	
	c. If payment request includes child support, give name(s) and birth date(s) of child(ren):	
	(1) NAME OF CHILD (Last, First, Middle Initial)	(2) DATE OF BIRTH (YYYYMMDD)
	d. Other information (please identify) or remarks.	
	_	
5a.	APPLICANT'S SIGNATURE	b. DATE SIGNED
	INSTRUCTIONS FOR COMPLETION OF DD FORM 2293	1

GENERAL. These instructions govern an application for direct payment from retired pay of a Uniformed Service member in response to court ordered child support, alimony, or a division of property, under the authority of 10 USC 1408.

SERVICE OF APPLICATION. You may serve the application by mail on the appropriate Uniformed Service designated agent. The Uniformed Services' designated agents are:

- (1) ARMY, NAVY, AIR FORCE, AND MARINE CORPS: Director, Defense Finance and Accounting Service Cleveland Center, ATTN: DFAS-CL/L, P.O. Box 998002, Cleveland, OH 44199-8002;
- (2) COAST GUARD: Commanding Officer (LGL), United States Coast Guard, Pay and Personnel Center, 444 S.E. Quincy Street, Topeka, KS 66683-3591;
- (3) PUBLIC HEALTH SERVICE: Office of General Counsel, Department of Health and Human Services, Room 722A, Humphrey Building, 200 Independence Avenue S.W., Washington, DC 20201;
- (4) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION: Same as U.S. Coast Guard.

IMPORTANT NOTE: Making a false statement or claim against the United States Government is punishable. The penalty for willfully making a false claim or false statement is a maximum fine of \$10,000 or maximum imprisonment of 5 years or both (18 USC 287 and 1001).

ITEM 1.

- a. Enter full name as it appears on the court order.
- b. Enter current name if different than it appears on court order.
- c. Enter Social Security Number.
- d. Enter current address.

ITEM 2.

- a. Enter former spouse's full name as it appears on the court order.
- b. Enter former spouse's Social Security Number.
- c. Enter former spouse's branch of service.
- d. Enter former spouse's current address, if known.

ITEM 3. Read the Request Statement carefully.

ITEM 4. A certified copy of a court order can be obtained from the court that issued the court order. Other documents include, but are not limited to, final divorce decree, property settlement order, and any appellate court orders. If the court order does not state that the former spouse was married to the member for ten years or more while the member performed ten years creditable service and the request is for payment of a division of property, the applicant must provide evidence to substantiate the ten years' marriage condition. Additional evidence must show that the ten years' requirement has been met, including: Uniformed Service orders, marriage certificate, and other documents that establish the period of marriage. Other information or documents included with the request should be clearly identified by the document's title and date. Remarks may be provided to clarify specific points.

ITEM 5. Self-explanatory.

Survivor Benefit Plan

Retirees may name a former spouse as their beneficiary under the Survivor Benefit Plan (SBP) at the time of retirement, even if the member has remarried. For retirees who have SBP coverage for their spouse, and later divorce, they have one year from the date of the divorce to voluntarily elect former spouse coverage, if they so desire. A divorce decree terminates SBP coverage for a spouse unless the retiree voluntarily elects to provide former spouse coverage or coverage on behalf of the former spouse is deemed by the Coast Guard or NOAA Corps. Former spouses have one year from the date of their divorce to request that the Coast Guard deem their election as a former spouse beneficiary. For divorce decrees entered before 14 November 1986, the Coast Guard or NOAA Corps may deem election of SBP coverage for a former spouse if the member voluntarily agreed to former spouse coverage in writing. For divorce decrees entered on or after 14 November 1986, state courts may order SBP coverage for the former spouse without the voluntary agreement of the member (P.L. 99-661), and the Coast Guard or NOAA Corps may deem the election based on the decree.

ADDRESS FOR USCG DEEMED ELECTIONS

COMMANDING OFFICER (LGL)
COAST GUARD HUMAN RESOURCES
SERVICE & INFORMATION CENTER
444 SE QUINCY ST
TOPEKA KS 66683-3591

ADDRESS FOR NOAA DEEMED ELECTIONS

COMMISSIONED PERSONNEL CENTER
NATIONAL OCEANIC & ATMOSPHERIC ADMN
1315 EAST-WEST HWY
SILVER SPRING MD 20910-3283

NOTE: Provided on the reverse side of this page, is our form HRSIC-2618 for the voluntary election of former spouse coverage by Coast Guard retirees who have previously elected SBP spousal coverage. On pages 9 and 10 is form DD-1883 for the election of coverage by active duty members. Please contact the following office for other situations including elections by reserve members.

COMMANDING OFFICER (RAS)
COAST GUARD HUMAN RESOURCES
SERVICE & INFORMATION CENTER
444 SE QUINCY ST
TOPEKA KS 66683-3591
TEL EPHONE: 1 800 PPC USCC (1 800 7

TELEPHONE: 1800 PPC-USCG (1800772-8724)

DEE	PT OF	TRANSPORTATION
US	COAST	Γ GUARD
CG	HRSIC	C-2618

FORMER SPOUSE ELECTION BY COAST GUARD RETIREE

I,	
(Full Name) (Si hereby elect Survivor Benefit Plan	SN) (Rank) (Date of Birth) (SBP) coverage as follows:
☐ Former spouse only	Former spouse and children
(Former Spouse Full Name)	(Former Spouse Full Name)
(Former Spouse SSN)	(Former Spouse SSN)
(Former Spouse Date of Birth)	(Former Spouse Date of Birth)
(Former Spouse Address)	(Former Spouse Address)
Date of Marriage to Former Spouse	List the full names, SSN's, Dates of Birth, and relationships of any children for whom SBP is desired:
Date of divorce	
	the Supplemental Survivor Benefit Plan (SSBP) acrease SSBPhowever, you may not decrease
of, or incident to, a preceding of divorce separation?	
Yes If the above question is answered "yes", he incorporated in or ratified or approved by	a court order?
Has the retiree remarried? If yes, providing Yes No	no [If yes, provide copy of order.] le New Spouse's Name:
(Retiree's Signature & Date)	(Witness' Signature & Date)
(Former Spouse's Signature & Date	(Witness' Signature & Date)
NOTE: THIS ELECTION FORM MUST BE SUBMITTED WITH	IN ONE YEAR OF DIVORCE/DISSOLUTION/ANNULMENT.

Reserved for Service Use Only a b c SURVIVOR BENEFIT PLAN **ELECTION CERTIFICATE** (THIS FORM IS SUBJECT TO THE PRIVACY ACT OF d f e 1974 - See Reverse) SECTION I - INFORMATION CONCERNING MEMBER RETIRING AFTER 21 SEP 72 1. Last name, first, M.I. 2. Social Security No. 3. Retirement date 4. Rank or grade 5. Date of birth SECTION II - MARITAL, DEPENDENCY, AND ELECTION STATUS 9a. If you checked 8a, b, or c, do you elect 6. Are you married? Yes No to provide an annuity based on the full 7. Do you have dependent children? Yes No amount of retired pay or on a reduced 8. Check one of the following to indicate the type of coverage you desire: portion of retired pay? a. Spouse only b. Spouse and children FULL REDUCED c. Children only 9b. If you want to provide a reduced annuity, show the amount of retired pay (base d. Natural person with insurable interest amount) upon which you want the annuity computed. (may be elected only if you have no spouse and/or children) \$ 9c. * (See instructions on reverse) Option A (Defer) e. None Option B (Age 60) Option C (Immediate coverage) IMPORTANT: The decision you make with respect to participation in this Survivor Benefit Plan is a permanent irrevocable decision. Please consider your decision and its effect very carefully. SECTION III - FAMILY INFORMATION (List additional names on reverse) 10. Name of spouse (Last, first, M.I.) 11. Spouse Social Security No. | 12. Spouse date of birth 13. Place of marriage (City, County, State, Country) 14. Date of marriage 15. I have the following unmarried dependent children under age 22 (or over age 22 and incapable of self-support because of a disability incurred before age 18 or, after age 18 but before age 22 while attending school). 15b. Social Security 15d. Relationship (natural, 15a. Last name, first, M.I. 15c. Date of birth No. step, adopted, foster) SECTION IV - INSURABLE INTEREST COVERAGE 16. If you are unmarried and have no dependent children, and you checked item 8d, complete this section with information pertaining to the person you want to receive an annuity who has an insurable interest in you. 17. Last name, first, M.I. 17a. Social Security No. 17b. Relationship 17d. Date of birth 17c. Mailing address SECTION V - ADDITIONAL INFORMATION 18. Is this the only election of coverage you have submitted under the new Survivor Benefit Plan? Yes No **SECTION VI - SIGNATURES** Signature of retiree Signature of witness Date

*ITEM 9c. (This item applies only to Reserve and National Guard members who have been notified that they have completed the required years of recognized Federal service to be eligible for retired pay upon application at age 60.)

INSTRUCTIONS FOR ITEM 9c - YOU SHOULD ELECT ONE OF THE OPTIONS OFFERED UNDER ITEM 9c. THE FOLLOWING IS AN

EXPLANATION OF EACH OPTION:

OPTION A - I DECLINE TO MAKE AN ELECTION AT THIS TIME.

(I will remain eligible to make an election for coverage at age 60.)

OPTION B - I ELECT TO PROVIDE AN ANNUITY BEGINNING ON THE 60TH

ANNIVERSARY OF MY BIRTH SHOULD I DIE BEFORE THAT DATE, OR ON THE DAY AFTER DATE OF DEATH SHOULD I DIE ON OR

AFTER MY 60TH BIRTHDAY.

OPTION C - I ELECT TO PROVIDE AN IMMEDIATE ANNUITY BEGINNING ON

THE DAY AFTER DATE OF MY DEATH, WHETHER BEFORE OR

AFTER AGE 60.

NOTE: If retiree does not elect option B or C at this time, and should die before age 60, the survivors will not receive benefits under Public Law 95-397.

SIGNATURE OF RETIREE	RETIREE'S SSN	DATE
SIGNATORE OF RETIREE	KETIKEE 5 55K	DITTE
SIGNATURE OF SPOUSE (if married)	SPOUSE'S SSN (if applicable)	DATE
SIGNATURE OF STOOSE (II married)	of Oose o solv (if applicable)	DATE

MONTHLY COST AND ANNUITY

Spouse only (no eligible children). Cost of coverage is 2 1/2 percent of the first \$300, plus 10 percent of any designated retired pay in excess of \$300. If a child becomes eligible, cost of coverage will be increased as determined in the next section. The increase in cost is effective the first day of the month following eligibility of such child.

Spouse and eligible children. The cost of coverage will be 2 1/2 percent of the first \$300 of the base amount plus 10 percent of the remainder plus a slight additional charge for children's coverage that will vary depending on your age, your wife's age, and the age of your youngest child. The additional charge should generally be about one-half of one percent of the amount of retired pay designated.

Eligible children only (no spouse). The cost of coverage will vary depending on your age and the age of your youngest child but should generally be about 3 percent of the amount of retired pay designated.

 $\underline{\text{Cost reduction - children}}$. When all children cease to be eligible for an annuity, the additional cost for child coverage shall stop. The reduction in cost is effective the first day of the month following that in which the last child ceases to be eligible for an annuity.

Natural interest person. Cost of coverage is 10 percent of full retired pay, plus an additional 5 percent of full retired pay for each full five years that your age exceeds that of the natural interest person. The total cost may not exceed 40 percent of retired pay.

<u>Annuity - spouse and/or eligible children</u>. Full coverage provides an annuity of 55 percent of retired pay. Reduced coverage provides an annuity of 55 percent of the reduced amount elected.

Annuity - natural interest person. The annuity payable is 55 percent of retired pay remaining after cost of coverage has been subtracted.

PRIVACY ACT STATEMENT

AUTHORITY: Public Law 92-425, 21 Sep 72; 10 USC, Chapter 73, Subchapter II, Survivor Benefit Plan; E.O. 9397.

PRINCIPAL PURPOSE(S): To allow military personnel to elect to participate in the Survivor Benefit Plan. Also used by retirees, who

retired subsequent to Sep 20th, 1972, to enroll in the Survivor Benefit Plan at less than maximum limit.

ROUTINE USES: Used by the Uniformed Services to validate and record level of participation in the plan and to act upon

individual's request for Survivor Benefit Plan coverage.

DISCLOSURE: Disclosure is voluntary, however, the information is necessary to administer the above law. Without it,

retirees could not enroll in the Survivor Benefit Plan at less than the maximum limit. In addition, failure on the part of Reserve and National Guard members to elect one of the options under item 9c would result in

forfeiture of dependents' coverage under the Survivor Benefit Plan.

MAILING INSTRUCTIONS

Medical, Commissary & Exchange Privileges

Background

The ID Card is the key for accessing your privileges. These benefits can include medical, commissary, exchange and theater privileges under Morale, Well-Being, and Recreation (MWR).

Minimum Eligibility requirements.

Benefits are authorized only if <u>all three</u> of the following criteria are met:

- 1. The marriage lasted at least 20 years and
- 2. the member served at least 20 years service creditable for retired pay and
- 3. the marriage overlapped the service creditable for retired pay by 15 years or more.

Benefits Authorized

The number of years the marriage overlapped the service creditable for retired pay determines the extent of the benefits as shown in the table below:

IF minimum eligibility requirements are met and	Then Under	Privileges entitled to
Marriage and service overlapped by at least 20 years	20/20/20 rule	 Commissary Exchange Theater Medical coverage provided the former spouse does not have an employer sponsored health plan.
Divorced before 1 April 1985	20/20/15 rule	Medical coverage provided the former spouse does not have an employer sponsored health plan.
Divorced after 31 March 1985 and before 29 September 1988	20/20/15 rule	• none
Divorced on or after 29 September 1988	20/20/15 rule	Medical coverage is authorized for one year after divorce, then the former spouse is offered an option to choose a conversion policy.

Continued on next page

Identification and Privileges Card (ID Card)

Restrictions

- All privileges are terminated if former spouse remarries.
- If remarriage ends in death or divorce Commissary, Exchange, and Theater benefits are reinstated. Medical benefits are not reinstated.
- CHAMPUS/Tricare benefits terminate when a former spouse becomes eligible for Part A of Social Security Medicare benefits.

First time you apply for an ID Card

- All initial determinations regarding former spouses of Coast Guard personnel must be approved by the Coast Guard Human Resources Service & Information Center (HRSIC).
- No other Coast Guard units or Department of Defense units are authorized to make this determination.
- Occasionally HRSIC does not maintain all required information, and may have to order the service member's record from the National Personnel Records Center. If HRSIC orders the records a delay of approximately 2 months can be expected.

How to apply for ID card

- 1. Complete the enclosed application for Uniformed Services Identification Card (DD Form 1172), sign block 90. Your signature must be notarized.
- 2. Complete the enclosed Statement of Former Spouse (HRSIC 2020C).
- 3. Enclose the following forms (translated if from a foreign country):
 - Certified copy of marriage certificate to former military spouse, or statement from appropriate state certifying common-law marriage.
 - Certified copy of divorce decree from former military spouse.
 - Certified copy of divorce/annulment decree from remarriage if applicable.
 - Certificate from Social Security Administration certifying whether you are eligible for Medicare Part A. This is required if you are 65 or older or disabled.
- 4. Mail the DD Form 1172 and all related documents to:
 - COMMANDING OFFICER (RAS)
 COAST GUARD HUMAN RESOURCES
 SERVICE & INFORMATION CENTER
 444 SE QUINCY ST
 TOPEKA KS 66683-3591

Identification and Privileges Card (ID Card)

Conversion policy (CHCBP)

The conversion policy know as the Continued Health Care Benefit Program (CHCBP) is available for the former spouse under the following eligibility requirements:

- For former spouses under 20/20/15 rule divorced on or after
- 29 September 1988 upon expiration of the one year covered period, the former spouse is entitled to elect coverage, at a cost, under CHCBP within 60 days.
- Effective 1 October 1994 there is no minimum creditable service requirement for unremarried former spouse or former spouse whose remarriage was annulled. A former spouse must elect within 60 days of divorce health coverage, at a cost, under the CHCBP.

Additional information concerning CHCBP, can be obtained by writing or calling:

CHCBP ADMINISTRATOR PO BOX 1608 ROCKVILLE MD 20849-1608 1 800 809-6119

Social Security Medicare benefits

- When a former spouse becomes eligible for Part A of Social Security Medicare benefits CHAMPUS/Tricare benefits normally terminate. This usually occurs when the former spouse turns 65.
- Former spouses retain eligibility for care at a Uniformed Services hospital or clinic on a space available basis after 65.
- In cases where the former spouse becomes disabled before 65, qualifies for Part A Medicare, and is enrolled in Medicare Part B, CHAMPUS/Tricare does not terminate but becomes a second payer to Medicare.

Morale, Well-Being and Recreation privileges

MWR authorizes use of base gymnasium, clubs, and discount tickets for various events.

Department of Transportation U. S. Coast Guard

Statement of Former Spouse

CG HRSIC-2020C (Rev.03-9	97)				· P				
PURPOSE: To accompany request for an ID card for a former spouse									
		Part I: Information	relative to	sponsor					
SSN	Name (I	Last, First, MI)			Rank				
Current Unit or Date of Retire	ment								
	Par	t II: Information re	lative to for	mer spouse					
Name (Last, First, MI)			T					,	
Home address, city, state and	zip code		Employer nar	ne, address, city,	, state and	l zip code			
Home area code and phone no	umber		Employer are	a code and phone	e numbei				
Part III: Information relative to marriage									
Date of marriage to sponsor		Date marriage was tern	minated Reason (divorce, dissolution, annulment)						
		Part IV: D	Declaration						
I am the former spouse of the spouse served at least 20 year least 15 years between the ma	s of servi	ce, creditable in determ	ining eligibility						
Have you remarried since date	e of divo	rce from sponsor?				YES		NO	
Are your presently employed	?					YES		NO	
Do you have medical coverage	ge under	an employer sponsored	health plan?			YES		NO	
Do you have medical coverage under an employer sponsored health plan? I certify that to the best of my knowledge the above information is true and correct. I understand that in the event this information is false, my ID card will be retrieved and I am liable to reimburse the government for medical care and other benefits received. I will immediately notify Commanding Officer (RAS), U. S. Coast Guard HRS & IC, 444 SE Quincy ST, Topeka, KS 66683-3591, if any changes in the above statement occur. I understand that making a false, fictitious, or fraudulent claim is a violation of 18 USC Section 287 the penalty for which is a fine up to \$10,000 and imprisonment for up to 10 years.									
Signature of former spouse				Date					
In accordance with 5 USC Section	on 522a(e)	PRIVACY ACT			lving ners	onal inform	nation t	o the	

In accordance with 5 USC Section 522a(e)(3), the following information is provided to you when supplying personal information to t U. S. Coast Guard: Authority - 10 USC Section 1072. Principal Purpose(s) - Used to determine eligibility for dependent ID card and benefits. Routine uses - Same. Disclosure - Disclosure of this information is voluntary, but without disclosure application for dependent ID card and benefits may not be approved.

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MARK HERE FO OR RESERVE P. ELIGIBILITY			AP	PLIC	ATION	FOR U			IED SE S ENR				ENTIFI	CATI	ON	CARI)		OMB	Approve No. 070 es Jul 31	04-0020
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III OR TION																					
SECTION III SPONSOR DECLARATION AND REMARKS	I have read and understand the "Conditions Applicable to Sponsor or Applicant" printed in Section VIII. I certify the information provided in connection with the eligibility requirements of this form is true and accurate to the best of my knowledge.																				
S DE	90. SIGNAT				signed ii)	ATE SIGN	
	92 TYPED	NAME // act	, First, Middl	al							93. PA	/ CP	ADE I	94 110	UT/C	20404 AN	D NAME		()	YYYIVIIVII	<u> </u>
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SE A	99. SIGNATURE 100. DATE VERIFIED (YYYYMMMDD)																				
	101. TYPED NAME (Last, First, Middle)										102. PA	AY G	RADE	103. U	NIT/C	OMMAI	ND NAME				
SECTION V ISSUED BY	104. TITLE					105. U	JIC		106. DI	UTY	PHONE NO. 1			107. UNIT/COMMAND ADDRESS (Street, City, State, ZIP Code)					. ZIP Code)		
SEC	108. SIGNA	TURE							109. D	ATE <i>YYY</i> }	ISSUED YMMMD	D)									
z H	RECEIPT OF NEW CARD IS ACKNOWLEDGED																				
SECTION VI RECEIPT	110. SIGNA	TURE																	1111. [OATE ISS	UED ИМDD)

The public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0704-0020), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THIS ADDRESS. RETURN COMPLETED FORM TO THE UNIFORMED SERVICE ID CARD ISSUING FACILITY.

SECTION VII - PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. sections 1061 - 1065, 1072 - 1074, 1074a - 1074c, 1076, 1076a, 1077, 1095(k)(2), E.O. 9397.

PRINCIPAL PURPOSE(S): To apply for the Uniformed Services Identification Card and/or DEERS Enrollment.

ROUTINE USE(S): To appropriate business entities, individual providers of care, and others, on matters relating to claims adjudication, program abuse, utilization review, professional quality assurance, medical peer review, program integrity, third party liability, coordination of benefits, and civil and criminal litigation.

To the Department of Health and Human Services, the Department of Veterans Affairs, the Social Security Administration, and to other Federal, state, and local government agencies to identify individuals having benefit eligibility in another plan or program.

Applicant information is subject to computer matching within the Department of Defense or with other Federal or non-Federal agencies. Matching programs are conducted to assure that an individual eligible under a Federal program is not improperly receiving duplicate benefits from another program. A beneficiary or former beneficiary who has applied for privileges of a Federal Benefit Program and has received concurrent assistance under another plan will be subject to adjustment or recovery of any improper payments made or delinquent debts owed.

DISCLOSURE: Voluntary; however, failure to provide information may result in denial of a Uniformed Services Identification Card and/or non-enrollment in the Defense Enrollment Eligibility Reporting System. Failure to provide a beneficiary's Social Security Number renders that beneficiary ineligible for health care services in Military Treatment Facilities. However, emergency health care services will be provided to the extent furnished members of the general public.

SECTION VIII - CONDITIONS APPLICABLE TO SPONSOR OR APPLICANT

I understand that the actions of the recipient(s) of the "Uniformed Services Identification Card" issued as a result of this application are my responsibility insofar as proper use of the card for benefits and privileges authorized; i.e., medical and dental care, exchange, commissary, and morale, welfare, and recreation programs. I will cause the recipient to surrender the card immediately upon call to do so or when appropriate under applicable regulations, and will notify an agency designated to grant authorization for privileges and facilities in event of any change in status affecting a recipient's eligibility therefor.

I am aware that medical care furnished in uniformed services facilities is subject to availability of space, facilities, and the capabilities of the medical staff to provide such care. Determinations made by the medical officer or contract surgeon, or his/her designee, as to availability of space, facilities, and the capabilities of the medical staff shall be conclusive.

Reimbursement shall be required for any unauthorized medical and dental care furnished at government expense. Copies of regulations concerning eligibility requirements are available in the Service Personnel Offices.

By signing this document, the sponsor or applicant certifies that he/she is aware that eligibility for benefits under the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) terminates for all beneficiaries, except spouses and children of active duty members, and certain disabled beneficiaries under 65, when the beneficiary becomes eligible for Medicare Part A, Hospital Insurance, through the Social Security Administration.

PENALTY FOR PRESENTING FALSE CLAIMS OR MAKING FALSE STATEMENTS IN CONNECTION WITH CLAIMS: FINE OF UP TO \$10,000 OR IMPRISONMENT FOR UP TO FIVE YEARS OR BOTH.

(ACT June 25, 1948, 18 U.S. Code 287, 1001)

Establishing Your Automated Payroll Account

Background

Once you have received Notice of Imposition of Direct Payment (HRSIC-5803) from the HRSIC legal staff, you should complete pages 20 & 21 and return them to the Retiree and Annuitant Services:

COMMANDING OFFICER (RAS) COAST GUARD HUMAN RESOURCES SERVICE & INFORMATION CENTER 444 SE QUINCY ST TOPEKA KS 66683-3591

Our Retiree and Annuitant Services needs this information for various purposes. Your home mailing address will be used for sending you pay statements, newsletters, tax information, and correspondence.

Payment methods

Your monthly payment must be issued by direct deposit and is payable on the first working day of the month following implementation. Complete the FastStart Direct Deposit Form (HRSIC-2231) on page 21.

EARNINGS AND TAX STATEMENTS

Monthly Statement of Income

You will only receive a Monthly Statement of Income when there is a change to your account.

Distributions from Retirement Plans (IRS Form 1099R)

Under Public Law 101-510, 5 November 1990, all amounts defined as a "Division of Property" are taxable to you. Each year on December 31, we will report this taxable income to you and to the Internal Revenue Service (IRS) using an IRS Form 1099R. The tax year runs from 1 December through 30 November of each year. If you are receiving a portion of retired pay as a division of property, and wish to specify the federal taxes withheld, please complete the IRS form W-4P. If you do not complete this form we will automatically withhold taxes at the "married, three (3) exemption" rate. Your year end taxable income will reduce the retired members taxable gross. The reduction to the members taxable income takes place before the 1099R is processed.

State Income Tax

Although your FSPA direct payment may be subject to state income tax, we cannot withhold state income tax from your FSPA direct payments.

Establishing Your Automated Payroll Account

Background

Retiree and Annuitant Services (RAS) needs a variety of information to establish your FSPA account for payment. This is the business line you will deal with once your FSPA account is established.

Payment method

Your monthly FSPA payment <u>must</u> be issued by direct deposit. Complete the Faststart Direct Deposit Form (HRSIC-2231) on page 21.

Payment Date

The FSPA payments will be payable on the first working day of each month, following the month of implementation.

Updating Account Information

It is important for you to keep RAS informed of any changes affecting your account.

If question	Then contact	At
concerns		
 direct deposit 	RAS by phone	telephone 1 800 772-8724 or
 home mailing 		commercial number 785 339-3415
address		fax number 785 339-3770
 non receipt 		
• taxes	RAS in writing	COMMANDING OFFICER (RAS)
 annual certification 	_	USCG HUMAN RESOURCES
		SERVICE & INFORMATION CENTER
		444 SE QUINCY ST
		TOPEKA KS 66683-3591

Statement of Monthly Income

You will **only receive** a Statement of Monthly Income when there is a change to your account.

Taxes

- Under Public Law 101-510, 5 November 1990, all amounts defined as a "Division of Property" are taxable to you.
- Each year on 31 December, we will report this taxable income to you and to the Internal Revenue Service (IRS) using IRS Form 1099R.
- The tax year runs from 1 December through 30 November of the following year.
- Your year end taxable income will reduce the retired members taxable income.
- The reduction to the members taxable income takes place before the 1099R is processed.

Establishing Your Automated Payroll Account

Federal Income Tax Withholding

- If you are receiving a portion of retired pay as a division of property, and wish to specify the federal taxes withheld, please complete the IRS form W-4P on page 20.
- If you do not complete this form we will automatically withhold taxes at the rate of married with three (3) exemption.

State Income Tax

Although your FSPA direct payment may be subject to state income tax, we cannot withhold state income tax from your FSPA direct payment.

Annual Certification

After your account has been established, you will be required to annually provide RAS with certification of your eligibility to continue receiving FSPA direct payments. We will notify you of this requirement each year, and will ask you to complete, sign and return a form to us.

FORM FOR ESTABLISHING AN AUTOMATED FORMER SPOUSE ACCOUNT

Please print or type the following information, then sign and return this form to the Retiree and Annuitant Services business line (address shown on page 17):

YOUR NAME					
	(Full Name, as to	be reported to the Inter	rnal Revenue Se	rvice)	
SOCIAL SECUI	RITY		DA	TE OF BIRT	Н
HOME MAILIN	G ADDRESS				
TELEPHONE N	UMBERS				
RETIREE'S NA	ME				
Your monthly pay direct deposit form	_	red to be sent by direc	ct deposit. Ple	ase complete t	he <i>FASTSTART</i>
Signature	00000	0000000		Date	
If you are receiving from your pay. Plea	a <i>division of pro</i> se complete the f	pperty direct payment, y ollowing form:			leral income tax withheld OMB No. 1545-0415
If you are receiving	a division of prose complete the fo	pperty direct payment, y	ate for		OMB No. 1545-0415
If you are receiving from your pay. Plea Form W-4P Department of the Treasury Internal Revenue Service	a division of prose complete the forward Withlese Pensio	operty direct payment, y following form: holding Certific	ate for		1
If you are receiving from your pay. Plea Form W-4P Department of the Treasury	a division of proses complete the forward Withle Pension me	operty direct payment, y following form: holding Certific on or Annuity Pa	ate for	on of having Fed	1
If you are receiving from your pay. Plea Form W-4P Department of the Treasury Internal Revenue Service Type or print your full nat	a division of prose complete the formula with Pension	operty direct payment, y following form: holding Certific on or Annuity Pa	ate for ayments	on of having Fed	1

Date x

Your signature ?

	PAYEE INFORMATION		E STREET ON THE
	SOCIAL SECURITY NUMBER		•
	NAME (Last, First, Initial)		
	TELEPHONE NUMBERS HOME	WORK WORK	
2.	TYPE OF ACCOUNT 3.	DIRECT DEPOSIT ACCOUN	T INFORMATION CHECK DIGIT
	CHECKING SAVINGS	ROUTING TRANSIT NUMBER	
4.	TYPE OF PAYMENT FSPA DIRECT PAYMENT	ACCOUNT ITLE	
		FINANCIAL INSTITUTION	
5.	HELPFUL INFORMATION		
	NAME OF DEPOSITOR ADDRESS CITY STATE ZIP	1001	1. ROUTING TRANSIT NUMBER Here you would put "123456789"
	Pay to the Order of		2. ACCOUNT NUMBER Here you would put "123-456-789". Please use the dash symbol where the following symbols appear on the check or card: •1:
	HOMETOWNBANK Topeka, KS 66683		3. ACCOUNT TITLE (must include recipient's name)
	For	3 II : 101	4. FINANCIAL INSTITUTION NAME5. If your check or sharedraft includes
6.	AUTHORIZATION	CHONE MEETOT	"payable through under the bank name, contact the financial institution to
	Signature of Payee		Date

Reserved for future use

Comments

The Coast Guard Human Resources Service and Information Center needs your input and feedback on this information packet. If there are any areas that are not clear, complete, or accurate we would like to know about them.

Just write your suggestions in the space below, and mail them to:

COMMANDING OFFICER (LGL)
COAST GUARD HUMAN RESOURCES
SERVICE & INFORMATION CENTER
444 SE QUINCY ST
TOPEKA KS 66668-3591

	ollowing information is optional but necessary if you would like to ents and/or recommendations.	
Your 1	Name (Optional)	
Addre	ess	
City, S	State & Zip Code	
Telepl	hone	



COMMANDING OFFICER (LGL)
COAST GUARD HUMAN RESOURCES
SERVICE & INFORMATION CENTER
444 SE QUINCY ST
TOPEKA KS 66683-3591

Official Business Penalty for Private Use, \$300

First Class Mail